

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 722 OF 2018

MAYUR S/O. SUBHASH SATAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Petitioners : Mr. Kakani Rohit R
APP for Respondent No.1/State : Mr. R. V. Dasalkar
Advocate for Respondent No.2 : Mr. Shirsat Suhas R.

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**CORAM : SARANG V. KOTWAL &
BHARAT P. DESHPANDE, JJ.**

DATE : 20th JULY 2022.

Per Court :

1. Leave to amend. Amendment to be carried out forthwith.
2. The petition was filed for quashing of the FIR, subsequently the charge-sheet is filed and by way of amendment, the Petitioners are permitted to amend the prayer clause for adding the prayer of quashing of the entire proceedings.
3. Heard learned Counsel for the parties.

4. This matter is argued before us praying for quashing by consent. The Respondent No.2 – first informant has filed affidavit-in-reply for such quashing. The FIR was lodged by Respondent No.2 on 09.08.2018. It is not necessary to go into the details of the allegations made in the FIR in view of the settlement that has successfully taken place between the parties. Suffice it to say that there were allegations of demand for money and of harassment against the Petitioners. The Petitioner No.1 is the husband, Petitioner No.2 is the father-in-law, Petitioner No.3 is the mother-in-law and Petitioner Nos.4 and 5 are sisters-in-law of the first informant.

5. A copy of charge-sheet is taken on record. The charge-sheet contains the statements of parents, brothers and other relatives of the first informant. All of them have reiterated the allegations in the FIR.

6. The Respondent No.2 – first informant has filed affidavit-in-reply as mentioned earlier. In Paragraph No.4, the list of proceedings pending between the parties, is mentioned, in which, the present proceedings pending before 3rd Joint Judicial Magistrate First Class, at Beed vide R. C.C. No. 541/2018 under Section 498(A) read with 34 of

IPC are included. It is mentioned in the affidavit-in-reply that for welfare of their future life, the Petitioner No.1 and Respondent No.2 have decided to live separately and have agreed to settle the disputes amongst them amicably. In Paragraph No.6 – C, it is mentioned by Respondent No.2 that it was agreed between the Petitioner No.1 and Respondent No.2 that the Respondent No.2 shall withdraw all Civil and Criminal proceedings initiated by her against the Petitioner No.1 and his other relatives. The terms of settlement are also reproduced in the other paragraphs. In Paragraph No.7, she has given her no objection for allowing the present Writ Petition No. 722/2018, as she does not want to proceed with prosecution of present case. Hence the following order.

ORDER

- (i) The petition is allowed in terms of prayer clause 'B-1'.
- (ii) The proceedings vide R.C.C. No. 541/2018 pending before the 3rd Joint Judicial Magistrate First Class, Beed is quashed and set aside.
- (iii) The petition is disposed of.

[BHARAT P. DESHPANDE, J.]

[SARANG V. KOTWAL, J.]